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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
 Geneva

WORKING GROUP ON VARIETY DENOMINATIONS

First Meeting
Geneva, March 18, 2016

NON-ACCEPTABLE TERMS

Document prepared by the Office of the Union

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PURPOSE

1. The purpose of this document is to present proposals concerning a list of botanical names of genera and, in addition, a list of botanical and common names of genera that have a wider meaning, and concerning the feasibility of including a list of comparatives/superlatives as non-acceptable terms.

EXECUTIVE SUMMARY

2. The WG-DEN is invited to:

(a) note the developments reported in this document;

(b) propose to defer a survey to create a list of botanical and common names of genera that have a wider meaning addressed to members of the Union until the development of a UPOV denomination similarity search tool nears completion; and

(c) consider whether to investigate further the availability of a list of common comparatives/superlatives.

3. The structure of this document is as follows:

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4. The following abbreviations are used in this document:

CAJ: Administrative and Legal Committee
 CAJ-AG: Administrative and Legal Committee Advisory Group
 WG-DST: Working Group for Variety Denomination Search Tool

BOTANICAL NAMES

5. The background to this matter is provided in document CAJ/72/3 "Variety Denominations".
6. The WG-DST, at its third meeting, held in Geneva, on October 2, 2015, agreed that it would be useful to develop a list of botanical names of genera and, in addition, a list of botanical and common names of genera that have a wider meaning through a survey addressed to members of the Union (see document UPOV/WG-DST/3/6 "Report", paragraph 11).
7. In the case of common names, the WG-DST, at its third meeting, agreed that it would be necessary to restrict the common names, perhaps to those in the GENIE database and for selected crops/species only (see document UPOV/WG-DST/3/6 "Report", paragraph 12).
8. The CAJ, at its seventy-second session, held in Geneva, on October 26 and 27, 2015, noted the oral report by the Vice Secretary-General that, at its third meeting of the WG-DST, held in Geneva on October 2, 2015, the WG-DST, with regard to non-acceptable terms, had proposed to consider botanical and common names as non-acceptable terms. In the case of common names, it had agreed that it would be necessary to restrict the common names, perhaps to those in the GENIE database and for selected crops/species only (see document CAJ/72/9 "Report on the Conclusions", paragraph 22).
9. The WG-DST, at its fourth meeting, held in Geneva, on February 4, agreed to defer a survey to create a list of botanical and common names of genera that have a wider meaning addressed to members of the Union until the development of a UPOV denomination similarity search tool nears.

OFFENSIVE TERMS

10. The background to this matter is provided in document CAJ/72/3 "Variety Denominations".
11. The WG-DST, at its third meeting, agreed that it would be problematic to develop a list of offensive terms and agreed that this matter should not be considered further (see document UPOV/WG-DST/3/6 "Report", paragraph 13).

COMPARATIVES AND SUPERLATIVES

12. The background to this matter is provided in document CAJ/72/3 "Variety Denominations".
13. The WG-DST, at its third meeting, agreed that it would be useful to develop a list of comparatives and superlatives on the basis that denominations should not consist of, or contain, comparative or superlative designations (see document UPOV/INF/12 "Explanatory Notes on Variety Denominations under the UPOV Convention" section 2.3.2). Given that the potential list of comparatives and superlatives would be very large, the WG-DST agreed to search for a list of commonly used comparatives and superlatives, in the first instance (see document UPOV/WG-DST/3/6 "Report", paragraph 14).
14. The CAJ, at its seventy-second session, noted the oral report by the Vice Secretary-General that, at its third meeting, the WG-DST, with regard to comparatives/superlatives, had agreed to investigate the feasibility of including a list of comparatives/superlatives as non-acceptable terms. That possibility would be reviewed by the WG-DST at its fourth meeting (see document CAJ/72/9 "Report on the Conclusions", paragraph 22).
15. The WG-DST, at its fourth meeting, noted that a report on the feasibility of developing a list of comparatives/superlatives would be presented to the WG-DEN at its first meeting, to be held in Geneva, on March 18, 2016.
16. A dictionary-like database, WordNet, was investigated as a possible source of a list of common comparatives/superlatives (in English). However, it was found that WordNet does not contain a list of comparative and superlatives as such, and relies on a stemming algorithm for most words in this category (e.g. smaller/smallest, greater/greatest, etc. are listed because they have "er" and "est" at the end of the words). A list of common comparatives/superlatives should also include words that do not follow the general rule (e.g. good/better) and such words would not be collected by the stemming algorithm.

Proposal

17. The WG-DEN is invited to consider whether to investigate further the availability of a list of common comparatives/superlatives.

USE OF FIGURES WHERE THIS IS NOT AN ESTABLISHED PRACTICE

18. The WG-DST, at its third meeting, concluded that it would not be feasible to address “established practice” with regard to the use of denominations consisting solely of figures and noted that this was not a difficult matter for members of the Union to implement (see document UPOV/WG-DST/3/6 “Report”, paragraph 16).

19. The CAJ, at its seventy-second session noted the oral report by the Vice Secretary-General that, at its third meeting, the WG-DST had concluded that it would not be feasible to address “established practice” with regard to the use of denominations consisting solely of figures and had noted that this was not a difficult matter for members of the Union to implement (see document CAJ/72/9 “Report on the Conclusions”, paragraph 22).

20. *The WG-DEN is invited to:*

(a) note the developments reported in this document;

(b) propose to defer a survey to create a list of botanical and common names of genera that have a wider meaning addressed to members of the Union until the development of a UPOV denomination similarity search tool nears completion; and

(c) consider whether to investigate further the availability of a list of common comparatives/superlatives.

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